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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

0360 #
#3

In re Application of
Nils C. Rydbeck and John P. Fussell

Serial No. 09/025,395

Filing Date: February 18, 1998

For: **CELLULAR PHONE WITH EXPANSION MEMORY
FOR AUDIO AND VIDEO STORAGE**

Attorney Docket No. P-4015.100

Raleigh, North Carolina
May 18, 1998

BOX MISSING PARTS
Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION**

Sir:

In response to the Notice To File Missing Parts of Application dated April 20, 1998, the Patent and Trademark Office is respectfully requested to enter the enclosed Assignment and Declaration And Power of Attorney For Patent Application.

Enclosed please find check #13461 in the amount of \$130.00 for the surcharge.

Respectfully submitted,

Rhodes, Coats & Bennett, L.L.P.

By:

David E. Bennett

David E. Bennett
Registration No. 32,194

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO:
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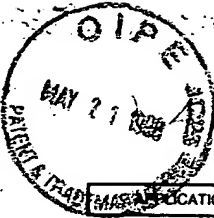
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DATE: 5/18/98

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/015,395 02/18/98 RYDBECK N P-4015.100

0372/0420

DAVID E BENNETT
RHODES COATS & BENNETT
909 GLENWOOD AVENUE
P O BOX 5
RALEIGH NC 27602

NOT ASSIGNED

2745
DATE MAILED:

04/20/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Sube Smith, NAE
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART-2 - COPY TO BE RETURNED WITH RESPONSE